



Commission on Peace Officer Standards and Training

1601 Alhambra Blvd
Sacramento, CA 95816-7083
www.post.ca.gov

Date: March 14, 2008

Bulletin: No. 2008-04

Subject: Notice of Proposed Regulatory Action – Regulations 1005, 1007, 1008, 1080; Procedures D-1 and H-3; *Training Specifications for Peace Officer Basic Courses*

At its January 2008 meeting, the Commission approved proposed amendments to Learning Domains throughout the *Training and Testing Specifications for Peace Officer Basic Courses* publication, incorporated by reference into POST Regulations 1005, 1007, 1008, 1080 and Procedures D-1 and H-3.

The proposed changes include:

- Re-distributing course hours between learning domains,
- Re-aligning the Modular Format to the proper levels of training,
- Incorporating a requalification process for modules III and II,
- Adding End-of-Course Proficiency tests to Modules III and II,
- Making additional updates to curriculum as part of an ongoing review.

The attached notice describes the proposed changes and includes an invitation for written input on this proposal, the deadline for written comments, and information about requesting a public hearing. The following, related information is available on the POST website at www.post.ca.gov/RegulationNotices/RegulationNotices.asp:

- POST Bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons

Please direct inquiries about this proposed regulatory action to Patricia Cassidy, Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, by email at Patti.Cassidy@post.ca.gov, by telephone at 916.227.4847, or by FAX at 916.227.5271. Julie Hemphill is the back-up contact person for this proposal. Julie is available by telephone at 916.227.0544, or by email at Julie.Hemphill@post.ca.gov.

PAUL A. CAPPITTELLI
Executive Director

Attachment: Notice of Proposed Regulatory Action

NOTICE OF PROPOSED REGULATORY ACTION

Regulations 1005, 1007, 1008, and 1080; Procedures D-1 and H-3; the *Training and Testing Specifications for Peace Officer Basic Courses*

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by April 28, 2008, at 5:00 PM

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at 916.227.5271 or by letter to the:

Commission on POST
Attention: Rulemaking
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Following the close of the public comment period, the Commission may adopt the proposal substantially as described below or may modify the original proposal with sufficiently related changes. With the exception of technical or grammatical changes, the full text of a modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The Commission will also mail the full text to persons who submit written comments related to the proposal or who have requested notification of any changes to the proposal.

Authority and Reference

This proposal is made pursuant to the authority vested by Penal Code §13503 – POST powers and §13506 - POST authority to adopt regulations. This proposal is intended to interpret, implement, and make specific Penal Code §13503 (e) - POST authority to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses, and Penal Code §13519.12 - POST authority to establish training standards involving the responsibilities of first responders to terrorism incidents and training standards for related instruction.

Informative Digest/Policy Statement Overview

At its January 24, 2008 meeting, the Commission approved proposed amendments to Learning Domains throughout the *Training and Testing Specifications for Peace Officer Basic Courses* publication, incorporated by reference into POST Regulations 1005, 1007, 1008, 1080 and Procedures D-1 and H-3.

The proposed changes include:

- Re-distributing course hours between learning domains,
- Re-aligning the Modular Format to the proper levels of training,
- Incorporating a requalification process for modules III and II,
- Adding End-of-Course Proficiency tests to Modules III and II,
- Making additional updates to curriculum as part of an ongoing review.

All changes to academy curriculum begin with recommendations from law enforcement practitioners or, in some cases, via legislative mandates. POST then facilitates meetings attended by curriculum advisors and SMEs who provide recommended changes to existing academy curriculum. These recommendations are then submitted to the Standing Alignment Committee (SAC), chaired by POST personnel and

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comprised of academy directors and coordinators. The SAC approved recommendations are then submitted for review by all academies at the Basic Course Consortium quarterly meetings facilitated by POST. Once approved by majority vote of all academies, the recommendations are forwarded to a Test Review Panel, also comprised of academy administrators who identify testing questions and pass-point thresholds for the new curriculum. The completed work of all committees is then submitted to the POST Commission for final review. In addition to amending the learning domains for the aforementioned reasons, the SMEs also propose non-substantial changes at the same time to improve clarity and readability of the domains.

Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test to the updated curriculum. The proposed effective date is July 1, 2008.

Local Mandate

This proposal does not impose a mandate on local agencies or school districts.

Fiscal Impact Estimates

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with §17500) of the Government Code, Division 4. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

Costs or Savings to State Agencies

POST anticipates no additional costs or savings to state agencies.

Business Impact/Small Businesses

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code §11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

Assessment Regarding Effect on Jobs/Businesses

The Commission has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs and will not result in the elimination of existing businesses or the creation or expansion of businesses in the State of California.

Cost Impacts on Representative Private Persons or Businesses

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

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Alternatives

The Commission must determine that no reasonable alternative considered by the agency, or otherwise identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as, and less burdensome to, affected private persons than the proposed action.

Contact Persons

Please direct inquiries or written comments about the proposed regulatory action to the following:

Patricia Cassidy	<i>or</i>	Julie Hemphill
Commission on POST		Commission on POST
1601 Alhambra Boulevard		1601 Alhambra Boulevard
Sacramento, CA 95816-7083		Sacramento, CA 95816-7083
916.227.4847 or Patricia.Cassidy@post.ca.gov		916.227.0544 or Julie.Hemphill@post.ca.gov
916.227.5271 (FAX)		

Text of Proposal

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at 1601 Alhambra Boulevard, Sacramento, CA 95816. These documents are also located on the POST website at: <http://www.post.ca.gov/RegulationNotices/RegulationNotices.asp>.

Availability and Location of the Rulemaking File and the Final Statement of Reasons

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above.

To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person(s) name above.